

~~Stacy Craft~~

~~10878 Picochilly Lane~~

Huntington Beach, CA 92646

April 16, 2008

Name

CARL JeanLouis

address

10128 Hull Dr.

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main St.
Huntington Beach, CA 92648

City of Huntington Beach

APR 28 2008

Dear Commissioner Scandura:

I am a long-time resident of our city, and I am writing to express my concern about recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

- The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
- Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the riverbed at Adams. We believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.
- Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.
- Huntington Bay is a quiet community of 253 families. We offer many amenities that appeal to families with young children. We don't want those amenities to be offered to a transient population. We firmly believe that it would bring harm to our wonderful community.

Are these tradeoffs ones that we really want to make? I look forward to your response.

Sincerely,

~~Stacy Craft~~

Name Carl JeanLouis

ATTACHMENT NO. 8.41

City of Huntington Beach

April 23, 2008

APR 25 2008

Diana Elder
10206 Ascot Circle
Huntington Beach, CA 92646

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Commissioner Scandura:

I am a long-time resident of our city, and I am writing to express my concern about recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close reclamation center compare favorable to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

1. The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
2. Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the riverbed at Adams. We believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.
3. Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.
4. Huntington Bay is a quiet community of 253 families. We offer many amenities that appeal to families with young children. We don't want those amenities to be offered to a transient population. We firmly believe that it would bring harm to our community.

Are these tradeoffs ones that we really want to make? I look forward to your response.

Sincerely,



Diana Elder

ATTACHMENT NO. 8.42

Tom and Linda Coxson
10129 Holburn Drive
Huntington Beach, CA 92646
April 23, 2008

City of Huntington Beach

APR 25 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Commissioner Scandura:

Our family recently moved into the Huntington Bay complex, and we are concerned about the possibility of a portable reclamation center being permitted at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

While we favor recycling, we are opposed to the risks that the reclamation center will bring. Currently, we feel very safe walking to and from the shopping center from Huntington Bay, and are at ease with our children playing around outside. We have a good idea of who belongs around here and who is a stranger.

Please keep in mind:

- The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into our Huntington Bay community.
- Huntington Bay is directly behind the Beachmont Plaza and very near the Santa Ana River Bed. We do not want the transients who are already "at home" along the riverbed to use our neighborhood as a shortcut to the recycling center, or to be hanging around that back parking lot area.
- Other shopping centers that host reclamation centers throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year. We used to live by one of these shopping centers in Huntington Beach that has a reclamation center. I would have the manager walk me out to my car because of the transients hanging around the parking lot. Businesses in that center have gone downhill.
- Huntington Bay is a quiet family community with many young children. Why put our neighborhood and children at risk when the city already collects recyclables along with our regular trash pickup (aren't we paying extra money for that??) and there are other reclamation centers available for those of us who use them?
- The parking area behind Ralph's is currently a regular path for those of us in the Huntington Bay complex to frequently, conveniently, and safely patronize the businesses in the Beachmont Plaza. If a reclamation center is permitted in this area, the safety we feel walking to and from the shops will be minimized, and in return, so will our trips to these stores. Fewer trips means less money for these businesses and a change in clientele.

The City of Huntington Beach did a beautiful job renovating this shopping center. Don't encourage things to go back to the run down conditions of before.

Sincerely,



Tom and Linda Coxson

ATTACHMENT NO. 8.43

Ronald C. Cameron
10103 Holburn Dr.
Huntington Beach Ca 92646
April 23, 2008

City of Huntington Beach

APR 25 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main St.
Huntington Beach CA 92648

Dear Commissioner Scandura,

I am a property owner in the Huntington Bay complex and am writing to express my concern about the discussion and pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I feel the benefits of offering a close reclamation center do not compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.

Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are transients that live beneath the overpass of the riverbed at Adams. We the residents believe that by locating the proposed reclamation facility at the Beachmont Plaza the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.

Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging fighting, public intoxication, public urination and defecation and even one murder within the last year.

Huntington Bay is a quiet community of 253 families. We offer many amenities that appeal to families with young children. We don't want those amenities to be offered to a transient population. We firmly believe that it would bring harm to our wonderful community.

Are these tradeoffs ones that we really want to make. I look forward to your response to our concerns and solicit your assistance in stopping this proposal.

Sincerely



Ronald C. Cameron

Gabriela Tolosa
10132 Ascot circle
Huntington Beach, CA 92646

April 22, 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main St.
Huntington Beach, CA 92648

City of Huntington Beach

APR 25 2008

Dear Commissioner Scandura:

I am a long-time resident of our city, and Im writing to express my concern about recent discussion and the pending decision to permit a portable recycling center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close recycling center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington bay.

Consider:

* The proposed recycling center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads into the community of Huntington Bay.

*Huntington Bay is situated directly behind the Beachmond Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the riverbed at Adams. We believe that by locating the proposed reclamation center at the Beachmond Plaza, the transient population that uses these sites for income will then use this gate into our community as a short cut to the river bed.

*Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.

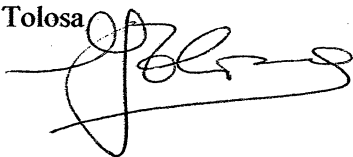
*Consider also the smell from empty cans, and the noises from glass bottles and aluminum cans.

* Huntington bay is a quiet community of 253 families. We enjoy the place where we live which is clean and secure. And we don't want these transient population to ruin it. We firmly believe that it would bring harm to our wonderful community.

Are these tradeoffs ones that we really want to make? We look forward to your response.

Sincerely,

Gabriela Tolosa



ATTACHMENT NO. 8.45

April 24, 2008

City of Huntington Beach

APR 28 2008

City of Huntington Beach
Planning Department
Commissioner John Scandura
2000 Main Street
Huntington Beach, CA 92648

Dear Commissioner Scandura:

I am a resident of Huntington Bay. I want to express my concern about recent discussions and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay, such as:

1. The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
2. Huntington Bay is situated directly behind the Beachmont Plaza and is located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the riverbed. By locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.
3. Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year. I would not want to see harm brought to the 253 families that live in Huntington Bay, therefore I oppose the installation of a portable recycling center at Beachmont Plaza.

Sincerely,



Carol Anderson
10232 Disney Circle
Huntington Beach, CA 92646

92646

ATTACHMENT NO. 8.4b

Katherine Allen
10172 Disney Cir.
Huntington Beach, CA 92646

Name
address
92646

April 16, 2008

City of Huntington Beach

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main St.
Huntington Beach, CA 92648

MAY 06 2008

Dear Commissioner Scandura:

I am a long-time resident of our city, and I am writing to express my concern about recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

- The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
- Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the riverbed at Adams. We believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.
- Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.
- Huntington Bay is a quiet community of 253 families. We offer many amenities that appeal to families with young children. We don't want those amenities to be offered to a transient population. We firmly believe that it would bring harm to our wonderful community.

Are these tradeoffs ones that we really want to make? I look forward to your response.

Sincerely,

Katherine Allen

~~Sally Craft~~ KATHERINE ALLEN

Name

ATTACHMENT NO. 8.47

May 2, 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main St.
Huntington Beach, CA 92648

City of Huntington Beach

MAY 05 2008

Dear Commissioner Scandura:

I am a long-time resident of our city, and I am writing to express my concern about recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

- The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
- Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River bed. There are numerous transients that live beneath the overpass of the riverbed at Adams. We believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.
- Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.
- Huntington Bay is a quiet community of 253 families. We offer many amenities that appeal to families with young children. We don't want those amenities to be offered to a transient population. We firmly believe that it would bring harm to our wonderful community.

The safety of the residents of Huntington Bay is more important than the proposed reclamation center. I look forward to your response.

Sincerely,



Terry Dueterhaus
19918 Piccadilly Lane
Huntington Beach, CA 92646

ATTACHMENT NO. 8.48

Ruth Geller
10107 Holburn Dr.
Huntington Beach, CA 92646
April 16, 2008

City of Huntington Beach

MAY 05 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Commissioner Scandura

I am a long-time resident of our city, and I am writing to express my concern about recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

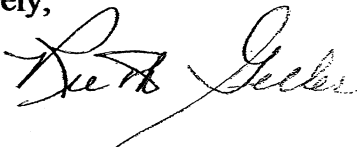
I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

- The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
- Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the riverbed at Adams. We believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the riverbed.
- Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.
- Huntington Bay is a quiet community of two hundred and fifty three families; we offer many amenities that appeal to families with young children. We do not want those amenities to be offered to a transient population. I firmly believe that this would bring harm to our wonderful community.

Are these tradeoffs ones that we really want to make? I look forward to your response.

Sincerely,



ATTACHMENT NO. 8.49

April 30, 2008

City of Huntington Beach

Alice Rafidi
19888 Piccadilly Lane
Huntington Beach, CA 92646

MAY 02 2008

Dear Commissioner John Scandura:

In regards to the proposed portable recycling center at Beachmont Plaza (Brookhurst and Adams), I am requesting that you please consider voting this down. There are a number of reasons for my request.

Currently, I am a resident of the Huntington Bay community which is located behind the Ralphs grocery store in Beachmont Plaza. Prior to this, I lived near the Ralphs at Brookhurst and Hamilton where this portable recycling center used to be situated.

The recycling center's former location brought nothing but trouble from transients, trash from the trailer of the portable unit, and an unsightly environment in more ways than one. People tended to congregate there who were not "our neighbors" or local residents. Fights and other public nuisances occurred. Sometimes it was uncomfortable to even shop at that Ralphs.

Today, the proposed site for this recycling center is near our community's private back gate. I expect that it is possible on our Friday garbage pick-up day or on Thursday nights, we could likely have transients come through that gate to find recyclable bottles and cans in our trash barrels for cashing-in. According to the news media, people rummaging through the blue recycle trash bins has already become an issue in other communities on other trash days.

I was reminded by neighbors that we already have a transient and homeless problem in the Santa Ana riverbed which is perpendicular to the Huntington Bay complex. While I do feel empathy for their plight, I don't feel a need to supply them with a recycling center next to my home nor near the children in the community.

Also please note that in another HB recycling spot, a murder did occur that allegedly was related to a recycling center in recent times. These centers are not constantly policed by our City patrol officers, consequently, there is minimal security or control.

I urge you to please not accept this proposal for the portable recycling center in Beachmont Plaza. I doubt that you would want it near your home either.

Thank you for your efforts and consideration,

Alice Rafidi

Cc: Paul Haussler, President of the Board of Directors
Huntington Bay Homeowners' Association

ATTACHMENT NO. 8.50

5/6/08

CC OF ALL TO -

- PLANNING COMMISSION (7)
- SCOTT HESS
- HERB FAULAND
- JILL ARA BE
- LINDA WING

April 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main St
Huntington Beach CA 92648

Subject: Proposal to install a portable recycling center

Location: Beachmont Center at Brookhurst and Adams

Dear Sir:

Please do not allow the installation of a recycling center in the back parking lot of the Beachmont shopping center at the northeast corner of Brookhurst and Adams. This area near the pedestrian gate to our property at Huntington Bay town homes is already a "nesting" place for homeless individuals as well as others that seem to have too much idle time available. Last month, as I walked to Ralph's to buy groceries, I observed a man drinking beer while convulsively vomiting on the curb near the sidewalk; upon my return trip home, I heard him urinating behind the dumpster.

As area residents, we have waited many years for this shopping center property to finally be "cleaned up" and "safe" enough for us to walk over to buy groceries, etc. As a middle-aged woman, safety means a great deal to me and I desperately hope that the Planning Commission will reconsider the proposal.

Thank you for your attention to this matter.



Denise Covell
10101 Holburn Dr
Huntington Beach CA 92646

City of Huntington Beach

MAY 02 2008

ATTACHMENT NO. 8.51

City of Huntington Beach

MAY 13 2008

Nick Carter
19928 Piccadilly Ln
Huntington Beach, CA 92646
May 12, 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

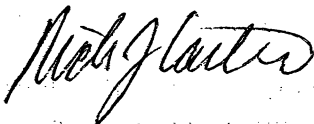
Dear Commissioner Scandura;

I am writing to let you know that I am opposed to the addition of a recycling center being added to the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams. As a resident of the Huntington Bay community, which is directly behind this shopping center, I am very concerned about the safety of our community.

A short study of the crime files of the Huntington Beach Police Department will show that charges of public intoxication, public urination and defecation, petty thievery, fighting and murder were problems associated with the former recycling at Hamilton and Brookhurst. I have no desire to allow my community to become a thoroughfare for vagrants who will pass through our homes on the way to the recycling center from the Santa Ana riverbed. Huntington Bay's close proximity to the proposed site, along with what I understand is a city mandated gate in the wall between our homes and the Ralphs parking lot, puts our 253 homes and residents in harm's way of these crimes.

Please do not allow this recycling center project to move forward.

Sincerely,



Nick Carter

Shana Chilcott
10210 Disney Circle
Huntington Beach, CA 92646
April 28, 2008

City of Huntington Beach

MAY 13 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Commissioner Scandura:

I am a long time resident of our city, and I am writing to express my concern about recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

- The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
- Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the river bed at Adams. We believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.
- Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.
- Huntington Bay is a quite community of 253 families. We offer many amenities that appeal to families with young children. We don't want those amenities to be offered to a transient population. We firmly believe that it would bring harm to our wonderful community.

Are these tradeoffs ones that we really want to make. I look forward to your response.

Sincerely,

Shana Chilcott

ATTACHMENT NO. 8.53

Nina C. Quenzler
10122 Hull Dr.
Huntington Bch, CA. 92646

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main St.
Huntington Beach, CA 92648

City of Huntington Beach

MAY 07 2008

Dear Commissioner Scandura:

I am a long-time resident of our city, and I am writing to express my concern about recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.


I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

- The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
- Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the riverbed at Adams. We believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.
- Other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.
- Huntington Bay is a quiet community of 253 families. We offer many amenities that appeal to families with young children. We don't want those amenities to be offered to a transient population. We firmly believe that it would bring harm to our wonderful community.

Are these tradeoffs ones that we really want to make? I look forward to your response.

Sincerely,


Nina C. Quenzler

ATTACHMENT NO. 8.54

George Phipps
19947 Piccadilly Lane
Huntington Beach, CA 92646
May 5, 2008

City of Huntington Beach

MAY 07 2008

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Commissioner Scandura:

I am a long time resident of our city, and I am writing to express my concern about a recent discussion and pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

- The proposed reclamation center is slated to be placed behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
- Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the river bed at Adams. We believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community as a short cut to the river bed.
- Other shopping centers that host reclamation facilities throughout the City of Huntington Beach had the problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.
- Huntington Bay is a quiet community of 253 families. We offer many amenities that appeal to families with young children. We don't want those amenities to be offered to a transient population. We firmly believe that it would bring harm to our wonderful community.

Are these tradeoffs ones that we really want to make? I look forward to your response.

Sincerely,

George Phipps

ATTACHMENT NO. 8.55

19881 Piccadilly Lane
Huntington Beach, CA 92646
April 25, 2008

City of Huntington Beach
Planning Department
John Scandura
2000 Main Street
Huntington Beach, CA 92648

5/13/08
cc - SHess
HFauland
JARabe
Planning
Commission
(7)

Dear Commissioner Scandura,

I am writing to express my concern about recent discussion and the pending decision to place a portable recycling center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

My husband and I recently moved to Huntington Bay Town homes from Irvine, CA. As first time homebuyers, we were thrilled to find a home in such a great location in Huntington Beach, the city where my husband was born and raised. It is especially important to us now that we have just welcomed our first child, a son, into our home. When I was informed by the Huntington Bay Homeowners Association about the proposed portable recycling center at the Beachmont Shopping Center, which would be placed adjacent to the gate accessing Huntington Bay, I immediately felt compelled to act, on behalf of my family, especially my newborn son.

Beachmont Plaza, having been recently remodeled, has been a wonderful addition to the area. Several times during the week, my husband, son and I will walk to the shopping center through the gate provided for us. Near this gate is where the portable recycling center would be located. This poses a safety risk to our community. The gate is unlocked, allowing whomever to pass through. The recycling center would attract many transients who collect recyclables and would be given easy access to our community. Huntington Bay is a quiet community, home to many senior citizens and families, all of whom would be put at risk by individuals who have been known to participate in scavenging, fighting, public intoxication, public urination and defecation, and even one murder within the past year. I ask you to please consider the 253 families, many of whom have children that play on their front lawn enjoying the safety of their home, when making your decision.

Thank you,


Jenessa Chisnall

City of Huntington Beach

MAY - 8 2008

ATTACHMENT NO. 8.56

John & Leslie Riasanovsky
10145 Disney Circle
Huntington Beach, California 92646
Telephone: (714) 963-3458
Email address: lrrianovsky@verizon.net

May 17, 2008

Ms. Jill Arabe
Planner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

RECEIVED
MAY 19 2008

City of Huntington Beach
City Council Office

Re: Conditional Use Permit No. 2007-047 (Ralph's Recycling Center)

Dear Ms. Arabe:

We own and reside in a home in the Huntington Bay complex, close to the Ralph's store in the Beachmont Shopping Center at the northeast corner of Brookhurst Street and Adams Avenue. We have lived here for almost ten years and, during that time, have dealt with the visual blight, dirt, debris, criminal activity, and noise resulting from the site owners' blatant neglect of the site, the noise, vibrations, dirt, dust, and bright lights relating to the reconstruction of the shopping center, and, currently, the noise and vibrations resulting from the daily trash collection at the shopping center, delivery trucks, and operation of the air conditioning, heating, and ventilation system at the Ralph's store at night.

It is our understanding that the City is now considering a proposal for the operation of a recycling center in the rear parking lot of the shopping center near the Huntington Bay complex. We strongly object to the recycling center on the following grounds:

1. The recycling center will cause even more adverse impacts in Huntington Bay. Other shopping centers that host reclamation facilities throughout the City have had problems with scavenging, fighting, public intoxication, urination and defecation, dirt, debris, and noise. The proposed recycling center is likely to have the same impacts.
2. The recycling center will not increase recycling in the surrounding area. All residents of Huntington Bay are already required to sort their recyclables and place them in containers that are picked up once a week by the City's garbage collection service. The operation of a recycling center in the Ralph's parking lot will only encourage non-residents of Huntington Bay to trespass in our community and raid the recycling bins on trash collection day. The City should locate the recycling center in an area where recyclables are not picked up by the garbage collection service.

Ms. Jill Arabe
May 17, 2008
Page 2

3. The City spent years persuading the owners of the Beachmont Shopping Center site to redevelop their property. As part of that redevelopment, the parking lot was redone and landscaping was installed and is actually quite attractive at the present time. Why in the world would the City want to detract from that by allowing a recycling center to be operated in the parking lot? Moreover, why should the residents of Huntington Bay have to put up with the odors, noise, traffic, trespassing, and litter from the recycling center when their recyclables are already picked up by the City's garbage collection service?

4. If it is really necessary to have a recycling center at Brookhurst and Adams, the recycling center should be placed in the front parking lot of the Ralph's store to encourage pedestrians, shoppers, people waiting at the bus stops, etc., to deposit their recyclables at the recycling center. These people are unlikely to take the time to walk to the back of the shopping center to use the recycling center. Also, shoppers at the Ralph's store are more likely to deposit their recyclables on their way into the store than to go around to the back of the store to do so.

If the objective of having a recycling center is to encourage recycling, then the recycling center should be located in a place where this will occur. The proposed location is not that place, and we respectfully request that the Zoning Administrator deny the request for a conditional use permit.

Thank you for your attention to the foregoing.

Sincerely,


John Riasanovsky


Leslie T. Riasanovsky

cc: Councilman Gil Coerper

Martha M. Cocking
19891 Piccadilly Lane
Huntington Beach, Ca. 92646

May 14, 2008

cc- PC CS/20/08

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main St.
Huntington Beach, CA. 92648

City of Huntington Beach

MAY 19 2008

Dear Commissioner Scandura;

I am a long-time owner of my town home located at the Huntington Bay Town Home Community. My Town Home is located directly behind the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams. I am writing to express my concern about the recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center.

I do not believe that the benefits of offering a close reclamation center compare favorably to the risk of illegal activities that the reclamation center will bring to the residents of Huntington Bay.

Please consider the following:

- The proposed reclamation center is slated to be placed behind the Ralph's Grocery Store adjacent to an unlocked gate that leads directly into the community of Huntington Bay.
- Huntington Bay is situated directly behind the Beachmont Plaza. This community is also located very close to the Santa Ana River Bed. There are numerous transients that live beneath the overpass of the riverbed at Adams. I believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into the Huntington Bay Community as a short cut to the river bed.
- My research has revealed that other shopping centers that host reclamation facilities throughout the City of Huntington Beach have had problems with scavenging, fighting, public intoxication, public urination and defecation, and one murder within the last year.

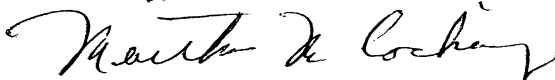
ATTACHMENT NO. 8.59

Huntington Bay Town Home Community is a quiet community of 253 families. This Community offers many amenities that appeal to families with young children. I do not want these amenities to be offered to a transient population.

I sincerely hope you consider the facts I have listed when making your final decision on the proposed reclamation center.

Thank you for your kind attention on this important issue

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha M. Cocking".

Martha M. Cocking
Owner and Taxpayer

May 19th, 08

Zoning Administrator
2000 Main Street
Huntington Beach, Ca 92648

MAY 20 2008

Attn: Zoning Administrator

Concering conditional use Permit #2007-047 "A permit to establish a portable recycling center @ 10081 Adams Ave 92646, we respectfully request this permit be denied.

The additional noise, stench, traffic and unwanted persons is unacceptable above the already existing noise, trash and problems already being tolerated.

Our townhome is immediately on the east of the fence deviding the shopping center and our complex. This would be a very noisy, stench (from bottles, cans, etc.) environment which in a residential area is not tolerable.

We respectfully request this permit be DENIED!!

Respectfully submitted,


Merritt G. Mead

MGM:bm

Merritt G. Mead
4683 W. 133rd St.
Hawthorne, Ca 90250

5/20/08
cc - PCX7

ATTACHMENT NO. 8.61

Carrie Saleman
10138 Disney Circle
Huntington Beach, CA 92646
May 15, 2008

City of Huntington Beach

MAY 20 2008

CC - PC X 7

Mr. John Scandura
Planning Commissioner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Commissioner Scandura:

My husband and I have been residents of Huntington Beach for almost two years, and I am writing to express my concerns about recent discussion and the pending decision to permit a portable reclamation center at the Beachmont Shopping Center at the Northeast corner of Brookhurst and Adams.

I do not believe that the benefits of offering a close reclamation center compare favorably to the risks of illegal activities that the reclamation center will bring for the residents of Huntington Bay.

Consider:

- The proposed reclamation center is slated to be placed right behind the Ralph's adjacent to an unlocked gate that leads directly into the community of Huntington Bay. Our community has its own recycling program through Rainbow Disposal.
- Our residence of Huntington Bay is situated directly behind the Beachmont Plaza—in my backyard! Huntington Bay is located very close to the Santa Ana River Bed where numerous transients live beneath the overpass. My husband and I believe that by locating the proposed reclamation facility at the Beachmont Plaza, the transient population that uses these sites for income will then use the gate into our community at a short cut to the river bed.
- Other shopping centers that have reclamation facilities throughout the City of Huntington Beach have had serious problems with scavenging, public intoxication, public urination, and at least one murder within the last year.
- Huntington Bay is a wonderful, quiet, and clean community of 253 families. We offer many outstanding amenities that appeal to families with young children. We don't want these amenities to be offered to a transient population. We believe that it would bring harm to our wonderful community.

Please take into consideration my feelings and concerns about the proposed reclamation center. I would not want to live in a community deemed unsafe and undesirable for raising children. I look forward to your response.

Sincerely,

Carrie Saleman

ATTACHMENT NO. 8:62

May 19, 2008

MAY 21 2008

ZONING ADMINISTRATOR
CITY OF HUNTINGTON BEACH PLANNING DEPARTMENT
2000 MAIN STREET
HUNTINGTON BEACH, CA 92647

Re: CUP No.2007-047 (Vasquez)
Public Hearing 5/28/08

Please accept this letter as protest to and request for denial of CUP No. 2007-047 regarding a portable recycling center within the Ralph's / Beachmont Center. This recycling center has the potential to turn a lovely, quiet, affordable neighborhood into a blighted area in the City of Huntington Beach.

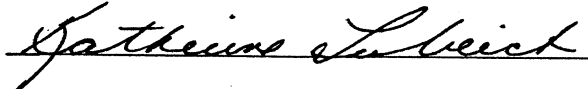
Surrounding this proposed center are quiet family neighborhoods. The noise and traffic generated from the recycling center, and its hours of operation will all but destroy the property values of the some of the last remaining affordable neighborhoods in Huntington Beach. (Can this recycling center be relocated to the Seacliff or Huntington Harbour neighborhoods of Huntington Beach?). These neighborhoods consist mainly of young families as well as older adults who have been residents since the mid-1960s. Many of the homes back right up against the proposed recycling area.

In addition to the substantial increase in traffic congestion and noise pollution at all hours of the day and night, recycling centers such as the one proposed create environments for illegal activity including scavenging, fighting, public intoxication, public urination and defecation. These findings are supported by Huntington Beach Police Department records.

Along with the threat of my neighborhood becoming a blighted area is the potential for an increase in the transient population who find refuge at the Santa Ana Riverbed. The lifestyle of the neighborhoods with its families and young children contrasts sharply with the lifestyle of transients. This is not a judgment of lifestyles. However, a balance now exists between our neighborhoods and the Riverbed population. This balance will be completely destroyed by the presence of this recycling center. The close proximity of the Santa Ana Riverbed to the recycling center (4 blocks) with its access to easy money would create an irresistible draw from other areas in the county.

Based on the foregoing, it is apparent that this project is completely incompatible with our neighborhood and I therefore, RESPECTFULLY URGE YOU TO DENY CUP NO. 2007-047.

Sincerely,


10211 ASCOT CIRCLE

Huntington Beach, CA 92646

ATTACHMENT NO. 8.63

May 19, 2008

ZONING ADMINISTRATOR
CITY OF HUNTINGTON BEACH PLANNING DEPARTMENT
2000 MAIN STREET
HUNTINGTON BEACH, CA 92647

City of Huntington Beach

MAY 22 2008

Re: CUP No.2007-047 (Vasquez)
Public Hearing 5/28/08

CC- PC x 7
SH + HF + JA
+ RR

Please accept this letter as protest to and request for denial of CUP No. 2007-047 regarding a portable recycling center within the Ralph's / Beachmont Center. This recycling center has the potential to turn a lovely, quiet, affordable neighborhood into a blighted area in the City of Huntington Beach.

Surrounding this proposed center are quiet family neighborhoods. The noise and traffic generated from the recycling center, and its hours of operation will all but destroy the property values of the some of the last remaining affordable neighborhoods in Huntington Beach. (Can this recycling center be relocated to the Seacliff or Huntington Harbour neighborhoods of Huntington Beach?). These neighborhoods consist mainly of young families as well as older adults who have been residents since the mid-1960s. Many of the homes back right up against the proposed recycling area.

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Based on the foregoing, it is apparent that this project is completely incompatible with our neighborhood and I therefore, RESPECTFULLY URGE YOU TO DENY CUP NO. 2007-047.

Sincerely,

Karen Copeland
KAREN COPELAND
10207 ASCOT CIRCLE
Huntington Beach, CA 92646

ATTACHMENT NO. 8.64

HUNTINGTON BAY

10199 Holburn Drive
Huntington Beach, CA 92646
(714) 962-2951

July 16, 2008

Ricky Ramos,
Senior Planner
City of Huntington Beach
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

RE: Conditional Use Permit No. 2007-047 (Ralph's Recycling Center)

Dear Mr. Ramos:

We are writing to dispute an appeal of the decision not to allow a portable recycling center at Beachmont Plaza (copy enclosed). The Huntington Bay Homeowners' Association does not agree with SloanVazquez, LLC's assertion, "The proposed operation is not incompatible with surrounding uses..." Instead, we assert that implementation of a portable recycling center would be detrimental to our community for the reasons already stated in a letter to SloanVazquez, LLC dated June 5, 2008 (copy enclosed).

We honestly do not know how to make it any clearer. Establishing a portable recycling center next to the gate between Beachmont Plaza and Huntington Bay is a terrible idea. We have already had problems with transients camping behind a building now occupied by Ralphs. We provided reports of 39 incidents reported to the police regarding transient activities associated with portable recycling centers. The residents of Huntington Bay, particularly families with children, strongly object to implementation of the recycling center.

Presently, Huntington Bay participates with curbside recycling provided by the City of Huntington Beach and Rainbow Disposal. Stater Brothers and Smart & Final, both across the street from Ralphs, refer customers to Beachside Recycling. Many Huntington Bay residents use the recycling facilities at Orange Coast College.

City of Huntington Beach

JUL 16 2008

ATTACHMENT NO. 8.65

LATE COMMUNICATION SS #A-3

7-18-08

JA - I LEFT A MESSAGE FOR PAUL INFORMING HIM THAT

THIS IS NOW GOING TO GO ON APPEAL AND OUT OF THE 24'S DOMAIN. KEEP IN FIVE PLS.

Under the circumstances, there are no needs for any additional recycling facilities or services in the neighborhood. Thanks for your consideration of out position.

Sincerely,



Paul Haussler,
for the Board of Directors
Huntington Bay Homeowners' Association

cc: Huntington Bay

Leta Hansen
Manager
Ralphs
10085 Adams Ave
Huntington Beach CA 92646

Western Realty
2750 E Spring St
Long Beach, CA 90806

Senator Tom Harmon
950 South Coast Drive, Ste. 240
Costa Mesa, CA 92626

Assemblyman Jim Silva
Huntington Beach District Office
17011 Beach Blvd. Suite 570
Huntington Beach, CA 92647-5995

Jun 16 08 03:45p

Geneva Companies

714-241-7900

p.2

*SloanVAZQUEZ LLC**Municipal Solid Waste & Recycling Advisors*

June 16, 2008

Ricky Ramos
Zoning Administrator
City of Huntington Beach
2000 Main St.
Huntington Beach, CA 92648

City of Huntington Beach

JUN 16 2008

In re: CUP No. 07-047 for 10081 Adams Ave.

Mr. Ramos,

We are hereby appealing the decision by the Zoning Administrator to deny Tomra Pacific's application to establish a recycling center as an accessory use at 10081 Adams Avenue.

The ground for our appeal is that dispute the findings of the City.

The proposed operation is not incompatible with surrounding uses. The City code specifically allows for recycling centers to be permitted as an accessory use to a supermarket. There are hundreds of these types of "redemption" centers operated across the State of California located in the parking lots of supermarkets, including several in the City of Huntington Beach.

Contrary to the City's Notice of Action, the operation of the recycling facility will not intensify the noise level. At the City's direction, Tomra has prepared and submitted a noise study demonstrating that the operation will not increase noise.


Our experience in regards to traffic is that patrons of recycling centers are members of the community who come to the market to shop and on the same trip bring their recyclables to the redemption center. As a result, there is minimal additional traffic. In fact very often, the centers serve as trip reduction operations.

It is not an established standard that these types of operations are always in the front of the building, they are found anywhere in the parking lot where it is convenient for all parties; the grocery market, other retailers, and prospective customers.

A check for \$1,569.00 is enclosed.

If you have any questions regarding this matter, please feel free to contact me at (714) 241-7903.

Respectfully,


Enrique Vazquez
Sloan Vazquez, LLC

1231 East Dyer Road • Suite 225 • Santa Ana, CA 92705
Office: 714.241.7903 • Fax: 714.276.0625 • Info@SloanVazquez.com

ATTACHMENT NO. 8.67

HUNTINGTON BAY

10199 Holburn Drive
Huntington Beach, CA 92646
(714) 962-2951

June 5, 2008

Joe Sloan and Enrique Vasquez
Sloan Vasquez, LLC
1231 E. Dyer Road
Santa Ana, CA 92705

RE: Conditional Use Permit No. 2007-047 (Ralph's Recycling Center)

Dear Mr. Sloan and Mr. Vasquez:

June 4, 2008, the City of Huntington Beach declined a Conditional Use Permit for placement of a portable recycling center at Beachmont Plaza. We understand the decision will be appealed. The Huntington Bay Homeowners' Association believes the city made the proper determination and we are hereby asking that you not appeal the decision.

Huntington Bay is a community of 253 homes located 0.2 miles west of the Santa Ana River. The west side of our community borders Beachmont Plaza. Presently there is a gate that enables residents access to the shopping center. Our community is composed of people of all ages from small children to senior citizens including several octogenarians. We also have residents who depend on wheelchairs and scooters for community mobility.

An unfortunate fact is that Huntington Beach has a significant transient population and a lot of them congregate along the Santa Ana River. Prior to the renovation of Beachmont Plaza, a group camped behind a building now occupied by Ralph's. They were apparently attracted because there was a table with benches, something on which to sit. They conducted publicly inappropriate behavior including activities of daily living (dressing, grooming, bathing, toileting, and personal hygiene activities) in full view of Huntington Bay residences adjacent to the shopping center. Public intoxication was also evident. With the renovation of Beachmont Plaza that disappeared and we are grateful for it.

Another unfortunate fact is transients rely on recycling bottles and cans to support their lifestyle. Huntington Bay provided 39 reports of recent complaints about transient activities in Huntington Beach associated with recycling centers. The reports were obtained from the Huntington Beach Police Department. If a portable recycling center were placed in Beachmont Plaza, particularly if it were placed next to the gate between Huntington Bay and the shopping center, it would be a magnet for transient traffic and

ATTACHMENT NO. 8.60

Sloan Vasquez
June 5, 2008
Page 2

activity. That would invite transients en route from the Santa Ana River to travel directly through Huntington Bay, the shortest route. Compounding this, Huntington Bay already participates in citywide curbside recycling. Thursday evenings and Friday mornings would be a veritable smorgasbord for scavengers. Even more helpful, we have already separated recyclables into blue trash carts and Ralph's could provide shopping carts. Huntington Bay does not want this.

Huntington Bay acknowledges that recycling is necessary. Once again, we already use curbside recycling. Stater Brothers' and Smart & Final, both located at Brookhurst Street and Adams Avenue, direct recycling to Beachside Recycling.

The imposition of a \$100 per day fee from Ralph's to the Department of Conservation strikes us as onerous. This could be avoided by redeeming containers in store. Moreover the need for a recycling center in a Convenience Zone may be exempted for a variety of reasons including that consumers in the area predominately use curbside recycling (reference PRC 14571.7).

Closure of the gate between Huntington Bay and Beachmont Plaza has been suggested. This has been tried. Locks were broken repeatedly. It would be possible to remove the gate and simply close the wall. Huntington Bay opposes this as well. Easy access to the shopping center benefits stores and neighbors alike. Huntington Bay likes Beachmont Plaza. We appreciate that Ralph's and Tomra Pacific are businesses and partners. However, a portable recycling center would create more problems than benefits.

California laws concerning recycling were certainly not enacted to cause harm to neighborhoods. Huntington Bay will resist efforts to impose placement of a portable recycling center to the extent possible within the law. If there are any questions, please let us know.

Sincerely,



Paul Haussler,
for the Board of Directors
Huntington Bay Homeowners' Association

cc: Huntington Bay

Huntington Bay residents

Sloan Vasquez

June 5, 2008

Page 3

Ms. Jill Arabe
Planning Aide
City of Huntington Beach
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

Leta Hansen
Manager
Ralphs
Brookhurst & Adams
Huntington Beach CA 92646

Tomra Pacific Inc.
150 Klug Circle
Corona, CA 92880

Western Realty
2750 E Spring St
Long Beach, CA 90806

Senator Tom Harmon
950 South Coast Drive, Ste. 240
Costa Mesa, CA 92626

Assemblyman Jim Silva
Huntington Beach District Office
17011 Beach Blvd. Suite 570
Huntington Beach, CA 92647-5995

HUNTINGTON BAY

10199 Holburn Drive
Huntington Beach, CA 92646
(714) 962-2951

June 5, 2008

City of Huntington Beach

Joe Sloan and Enrique Vazquez
Sloan Vazquez, LLC
1231 E. Dyer Road
Santa Ana, CA 92705

JUN 16 2008

RE: Conditional Use Permit No. 2007-047 (Ralph's Recycling Center)

Dear Mr. Sloan and Mr. Vazquez:

June 4, 2008, the City of Huntington Beach declined a Conditional Use Permit for placement of a portable recycling center at Beachmont Plaza. We understand the decision will be appealed. The Huntington Bay Homeowners' Association believes the city made the proper determination and we are hereby asking that you not appeal the decision.

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An unfortunate fact is that Huntington Beach has a significant transient population and a lot of them congregate along the Santa Ana River. Prior to the renovation of Beachmont Plaza, a group camped behind a building now occupied by Ralph's. They were apparently attracted because there was a table with benches, something on which to sit. They conducted publicly inappropriate behavior including activities of daily living (dressing, grooming, bathing, toileting, and personal hygiene activities) in full view of Huntington Bay residences adjacent to the shopping center. Public intoxication was also evident. With the renovation of Beachmont Plaza that disappeared and we are grateful for it.

Another unfortunate fact is transients rely on recycling bottles and cans to support their lifestyle. Huntington Bay provided 39 reports of recent complaints about transient activities in Huntington Beach associated with recycling centers. The reports were obtained from the Huntington Beach Police Department. If a portable recycling center were placed in Beachmont Plaza, particularly if it were placed next to the gate between Huntington Bay and the shopping center, it would be a magnet for transient traffic and

ATTACHMENT NO. 8.71

Sloan Vazquez
June 5, 2008
Page 2

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Huntington Bay acknowledges that recycling is necessary. Once again, we already use curbside recycling. Stater Brothers' and Smart & Final, both located at Brookhurst Street and Adams Avenue, direct recycling to Beachside Recycling.

The imposition of a \$100 per day fee from Ralph's to the Department of Conservation strikes us as onerous. This could be avoided by redeeming containers in store. Moreover the need for a recycling center in a Convenience Zone may be exempted for a variety of reasons including that consumers in the area predominately use curbside recycling (reference PRC 14571.7).

Closure of the gate between Huntington Bay and Beachmont Plaza has been suggested. This has been tried. Locks were broken repeatedly. It would be possible to remove the gate and simply close the wall. Huntington Bay opposes this as well. Easy access to the shopping center benefits stores and neighbors alike. Huntington Bay likes Beachmont Plaza. We appreciate that Ralph's and Tomra Pacific are businesses and partners. However, a portable recycling center would create more problems than benefits.

California laws concerning recycling were certainly not enacted to cause harm to neighborhoods. Huntington Bay will resist efforts to impose placement of a portable recycling center to the extent possible within the law. If there are any questions, please let us know.

Sincerely,



Paul Haussler,
for the Board of Directors
Huntington Bay Homeowners' Association

cc: Huntington Bay

Huntington Bay residents

Sloan Vazquez

June 5, 2008

Page 3

Ms. Jill Arabe
Planning Aide
City of Huntington Beach
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

Leta Hansen
Manager
Ralphs
Brookhurst & Adams
Huntington Beach CA 92646

Tomra Pacific Inc.
150 Klug Circle
Corona, CA 92880

Western Realty
2750 E Spring St
Long Beach, CA 90806

Senator Tom Harmon
950 South Coast Drive, Ste. 240
Costa Mesa, CA 92626

Assemblyman Jim Silva
Huntington Beach District Office
17011 Beach Blvd. Suite 570
Huntington Beach, CA 92647-5995

Paul Haussler

From: Paul Haussler [paulhaussler@earthlink.net]
Sent: Wednesday, June 04, 2008 4:56 PM
To: Huntington Bay
Subject: Portable recycling center at Beachmont Plaza - The saga continues...

Dear Board of Directors, Neighbors, & Friends,

City of Huntington Beach

We won this round; the City of Huntington Beach denied the proposal to place a portable recycling center at the northeast corner of Beachmont Plaza. JUN 05 2008

Sloan Vasquez, LLC, who represents Tomra Pacific (AKA Tomra Recycling Network) will appeal the decision, of course. That is their prerogative. After the meeting they informed me that they sought permission to place the recycling center at the southwest corner of Brookhurst Street and Adams Avenue (the Target shopping center). However the property manager refused. At Beachmont Plaza, the property manager (Western Realty) insisted on locating the recycling center next to Huntington Bay at the northeast corner of the shopping center.

Sloan Vasquez advised me that California has never granted an exemption based on a community using curbside recycling. Maybe so, maybe not. There is a first time for everything... They also told me they had never received any complaints about transients using their client's recycling centers. Perhaps not, but the Huntington Beach Police Department logged at least 39 incidence reports recently. At this point Sloan Vasquez has a credibility problem with me. I cannot dispute that Tomra Pacific's product and services have value in a proper setting. Beachmont Plaza is not a proper setting.

Prior to Beachmont Plaza being renovated, there was a picnic table and benches for workers to use for breaks and lunches, etc. by the buildings that back up to Huntington Bay. Unfortunately, transients used it as a place to stay. Huntington Bay residents near the shopping center were confronted with a variety of publicly inappropriate behaviors (this is the polite politically correct term). We certainly do not want a resurgence of that.

An Internet search for "tomra pacific" picks up some interesting information. Tomra is a huge international company with a website here: <http://www.tomra.com/>

Information about the local operation is here: http://www.manta.com/coms2/dnbcompany_3rvvm

Dissatisfied customers posted comments here: <http://www.ripoffreport.com/reports/0/193/ripoff0193094.htm>

and here: <http://www.yelp.com/biz/tomra-pacific-replanet-culver-city-2>

A satisfied customer posted here: <http://www.yelp.com/biz/tomra-pacific-replanet-ralphs-glendale>

This will be faxed to City Planning and Western Realty. I sincerely hope we can avoid implementation of a portable recycling center at Beachmont Plaza.

Paul Haussler
Huntington Bay Homeowners' Association
(714) 962-2951

HUNTINGTON BAY

10199 Holburn Drive
Huntington Beach, CA 92646
(714) 962-2951

June 2, 2008

City of Huntington Beach
JUN 03 2008

Ms. Jill Arabe
Project Planner
City of Huntington Beach
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

ATTENTION: Jill Arabe Fax: 714-374-1648

RE: Conditional Use Permit No. 2007-047 (Ralph's Recycling Center)

Dear Ms. Arabe:

I found the following website informative:

<http://www.consrv.ca.gov/dor/dmr/retailers/Pages/cz.aspx>

Among other things it states, "A convenience zone may be exempt from the requirement to have a recycling center within its boundaries if one or more mandated conditions are met in accordance with PRC 14571.8. These conditions include: Ease of access to redemption center by consumers, reasonable distance to next closest recycling center, consumers in area predominantly use curbside program for recycling, and recycling centers in the area fail to meet a sufficient volume for economic viability."

Apparently neighborhoods that use curbside recycling may be exempt from imposition of a portable recycling center. Thanks for your consideration. If there are any questions, please let us know.

Sincerely,

Paul Haussler,
for the Board of Directors
Huntington Bay Homeowners' Association
(faxed but not signed)

cc: Huntington Bay

ATTACHMENT NO. 8.75

John & Leslie Riasanovsky
10145 Disney Circle
Huntington Beach, California 92646
Telephone: (714) 963-3458
Email address: lriasanovsky@verizon.net

City of Huntington Beach

JUN 03 2008

June 1, 2008

Ms. Jill Arabe
Planner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Re: Conditional Use Permit No. 2007-047 (Ralph's Recycling Center)
Continued Hearing – June 4, 2008, 1:30 p.m.

Dear Ms. Arabe:

This letter is a follow-up to our May 17, 2008 letter and is intended to respond to certain statements made by the applicant at the May 28, 2008 hearing before the Zoning Administrator.

At the hearing, the applicant argued that it should be allowed to install the "rePLANET" recycling center in the rear parking lot so that Ralph's does not have to continue paying the \$100 per day fee to the State of California required by AB 2020. We would like to point out that AB 2020 (which was codified in California Public Resources Code Section et seq.) has been in existence since 1986 and that Ralph's assuredly knew about and nevertheless made a business decision to pay the fee at the time it agreed to lease the store premises. Thus, the fact that Ralph's is required to pay the fee should have nothing whatsoever to do with the issue of whether the proposed recycling center should be allowed.

Moreover, according to California Public Resources Code Section 14571.6 (a copy of which is enclosed), the payment of the \$100 per day fee is only one option available to a supermarket under AB 2020. The other option is for the supermarket to redeem empty beverage containers on its premises, to post certain signs notifying customers of the redemption program, and to arrange for the empty beverage containers to be delivered to a certified recycling center or processor.

In addition, California Public Resources Code Section 14526.6 (a copy of which is also enclosed) states that a recycling center may be located "within, or outside and immediately adjacent to the entrance of, or at, or within a parking lot or loading area surrounding, a supermarket which is the focal point of a convenience zone." Thus, the recycling center could be located within the Ralph's store or in the parking lot in front of

ATTACHMENT NO. 8.76

the Ralph's store. There is nothing in the state law which mandates that the proposed recycling center be located in the rear parking lot of the store.

Furthermore, Ralph's (or the property owner) could have easily chosen to raise the issue of the recycling center with the Zoning Administrator in 2002 during the planning process for the shopping center redevelopment. Nevertheless, it chose not to do so. This is troubling because the use of the parking lot was an issue of concern raised by residents of surrounding properties during the planning process. Indeed, it is our understanding that this concern was a key factor in the Zoning Administrator's decisions regarding the requirements for trash disposal, the movement of traffic through the shopping center site, the hours of operation of the businesses in the shopping center, the hours during which deliveries can be made to the site, the operation of the gate leading to the Huntington Bay community, and the height of and landscaping near the walls separating the shopping center from the Huntington Bay community. In the interest of fairness and preserving the integrity of the planning process, Ralph's should not be allowed to change the use of the parking lot at this late date without the Zoning Administrator's reconsideration of those issues.

Thus, if the Zoning Administrator is inclined to approve the proposed recycling center, we would ask that the Zoning Administrator consider the following issues:

1. Trash Disposal.

Recycling is a method for dealing with the disposal of certain types of trash. Trash bins in the shopping center's parking lot are currently required to be closed when not in use and are enclosed by walls and gates. We assume that this is required for aesthetic and sanitary reasons (e.g., the unattractiveness of the trash bins, the fact that debris sometimes spills out from the trash bins, the potential to attract rodents and other pests, etc.) and to prevent unauthorized users from depositing their trash in or next to the bins.

These same concerns are presented by the proposed recycling center. Enclosed are photographs of the "rePLANET" recycling center in the parking lot of the Ralph's store at Magnolia and Garfield streets, which were taken on Saturday, May 31, 2008 at approximately 6:30 p.m.. As you can see, the outside of that portion of the facility where bottles are deposited is dirty and stained with unknown materials, and bits of broken glass, bottle caps, and other debris have been left on the asphalt near the front of the facility. In addition, portions of the asphalt in front of the facility are stained with an unknown sticky substance, there are no lids on the plastic trash cans located outside of the facility, the lid has been left off the cement trash can outside of the facility, and a black plastic trash bag has been left on the ground to the right of the cement trash can.

The proposed recycling center will undoubtedly have the same problems, with one significant difference: If it is placed in the rear parking lot of the Ralph's store, the

proposed recycling center is likely to receive even less maintenance than the existing recycling center at Magnolia and Garfield receives. To prevent this from happening, any approval of the proposed recycling center should be conditioned on its being located in the front parking lot of the Ralph's store. In addition, the proposed recycling center should be hosed off or otherwise cleaned on a regular basis (e.g., once in the morning and once in the evening) and enclosed by walls and gates which must be closed and locked when the recycling center is not operating, and all trash cans for the deposit of non-recyclables should have lids and be brought inside the gates when the recycling center is not operating.

2. Movement of Traffic.

Trucks providing deliveries to the Ralph's loading dock are currently required to enter from Adams Avenue and then back up into the loading area. Significant noise and vibrations are generated by this process. It is not clear if the location and use of the proposed recycling center will impact the operation of the delivery trucks and result in increased noise and vibrations. However, if it will, this is another reason for requiring that the proposed recycling center be located in the front parking lot of the Ralph's store.

3. Hours and Operations of Deliveries.

The conditions of approval for the redevelopment of the shopping center stated that no deliveries may occur on the site between the hours of 10:00 p.m. and 7:00 a.m.. Nevertheless, it is our understanding that the applicant is proposing to have an automated bottle deposit feature at the proposed recycling center which will be open 24 hours a day, 7 days a week. If this is permitted, deliveries may occur at this portion of the site after 10:00 p.m. and before 7:00 a.m. in violation of the existing conditions of approval and may result in increased noise, traffic, and crime at night. For this reason, the hours of the proposed recycling center should be limited to comply with the limits for deliveries set forth in the existing conditions of approval for the shopping center. In addition, the proposed recycling center should be located in the front parking lot of the Ralph's store and enclosed by walls and gates which must be closed and locked when the recycling center is not operating, and all trash cans for the deposit of non-recyclables should be brought inside the gates when the recycling center is not operating.

4. Gate.

Although required by the existing conditions of approval, the gate providing access from the shopping center to Huntington Bay is not currently a locking gate. We do not know why this is so. However, the presence of the recycling center only intensifies the need for the locking gate (which, under the existing conditions of approval, is supposed to be owned and maintained by the owner of the shopping center property). This is yet another reason for requiring that the proposed recycling center be located in the front parking lot of the Ralph's store, if it is to be allowed.

5. Wall/Landscaping.

The landscaping along the walls is still not fully developed and does not yet provide the additional sound insulation that was originally contemplated. This is yet another reason for requiring that the proposed recycling center be located in the front parking lot of the Ralph's store, if it is to be allowed.

Summary

As discussed in our May 17, 2008 letter, although we strongly support recycling efforts, we continue to believe that the Brookhurst and Adams site is not a good location for the proposed recycling center because of the existing City program for the collection of recyclables by Rainbow Disposal.

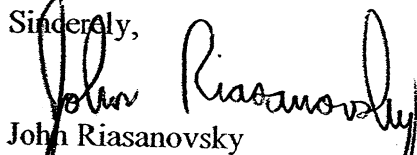
However, if the Zoning Administrator is inclined to approve the proposed recycling center, such approval should be conditioned on the following requirements:

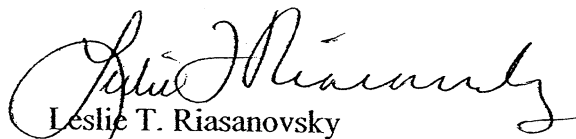
- The proposed recycling center must be located in the front parking lot of the Ralph's store.
- The proposed recycling center must be hosed off or otherwise cleaned on a regular basis (e.g., once in the morning and once in the evening).
- The proposed recycling center must be closed between the hours of 10:00 p.m. and 7:00 a.m.
- The proposed recycling center must be enclosed by walls and gates which must be closed and locked when the recycling center is not open.
- All trash cans for the deposit of non-recyclables must have lids and be brought inside the gates when the recycling center is not open.

Given the shameful history of neglect at the shopping center site, it is very important that the City continue to impose and enforce strict maintenance and operation standards in connection with any proposed use of the site. The failure to impose such standards will only lead to the deterioration of the site and surrounding neighborhoods.

Thank you for your attention to the foregoing.

Sincerely,


John Riasanovsky


Leslie T. Riasanovsky

cc/ Councilman Gil Coerper
Huntington Bay Homeowners Association

PUBLIC RESOURCES CODE

14509.4. "Convenience zone" means either of the following:

(a) The area within a one-half mile radius of a supermarket.

(b) The area designated by the department pursuant to Section 14571.5.

14526.6. "Supermarket site" means any certified recycling center which redeems all types of empty beverage containers in accordance with Section 14572, and which is located within, or outside and immediately adjacent to the entrance of, or at, or within a parking lot or loading area surrounding, a supermarket which is the focal point of a convenience zone, or a dealer that is located within that zone, and which is accessible to motor traffic.

14571.6. In any convenience zone where no recycling location has been established which satisfies the requirements of Section 14571, and in any convenience zone which has exceeded the 60-day period for the establishment of a recycling center pursuant to Section 14571.7, all dealers within that zone shall, until a recycling location has been established in that zone, do one of the following:

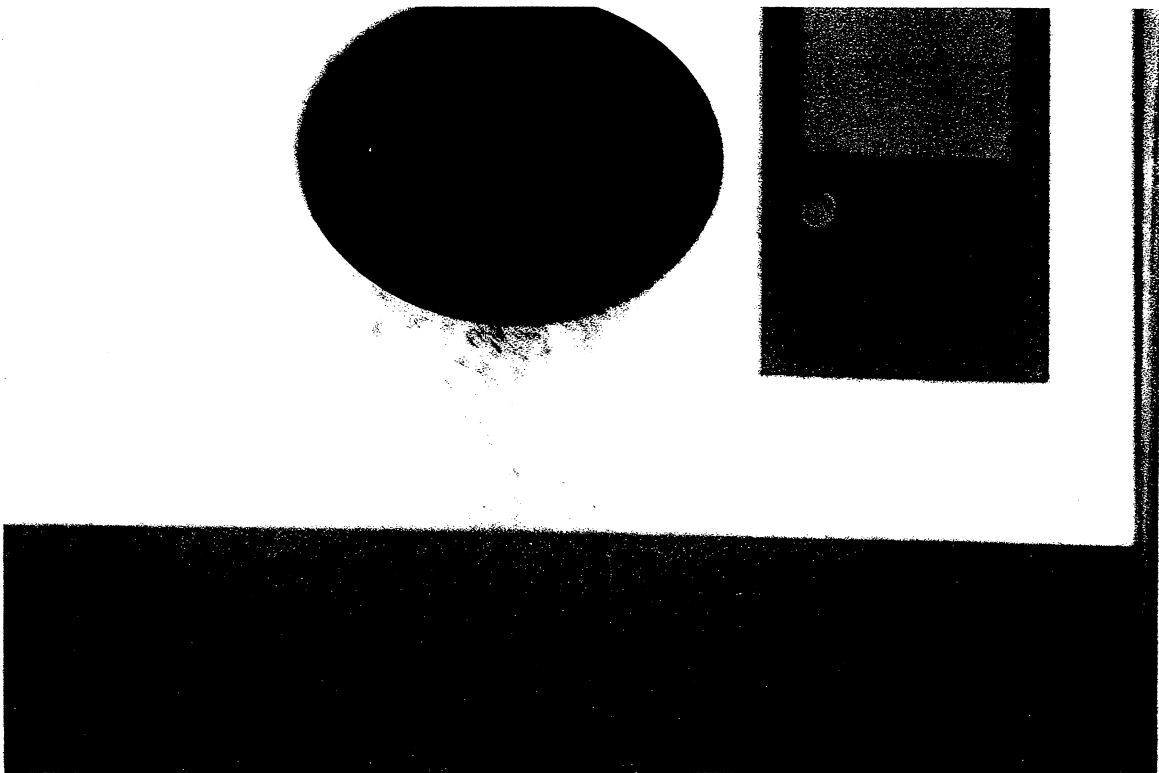
(a) Submit to the department an affidavit form provided by the department stating that all of the following standards are being met by the dealer:

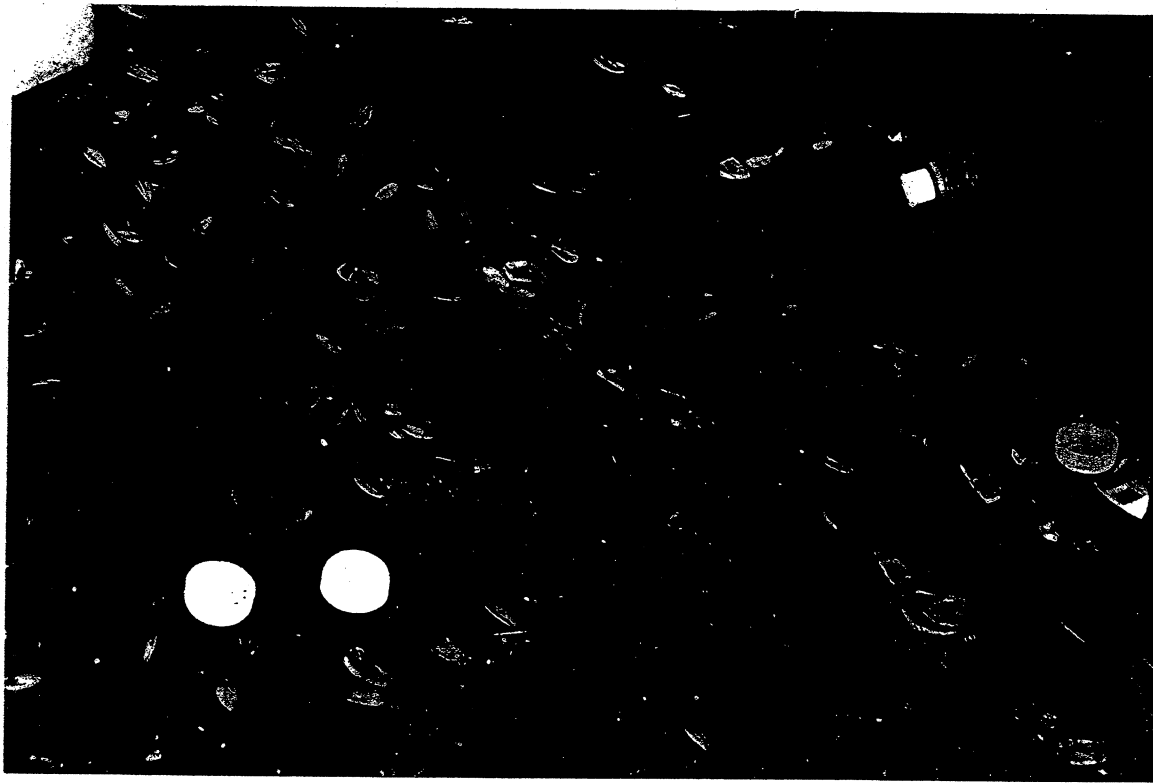
(1) The dealer redeems all empty beverage container types at all open cash registers or one designated location on the dealer's premises, during all hours that the dealer is open for business.

(2) The dealer has posted signs which meet the size and location requirements specified in subdivision (b) of Section 14570, and which conform to paragraph (2) of that subdivision.

(3) The dealer is delivering, or having delivered, all empty beverage containers received from the public to a certified recycling center or processor for recycling.

(b) Pay to the department for deposit in the fund the sum of one hundred dollars (\$100) per day until a recycling location is established or until the standards for redemption specified in subdivision (a) are met.





ATTACHMENT NO. 8.82

Arabe, Jill

From: Enrique Vazquez [ev@sloanvazquez.com]
Sent: Monday, June 02, 2008 4:30 PM
To: Arabe, Jill
Cc: 'Joe Perez'
Subject: RE: CUP 07-047 (Recycling Center) Question

Jill:

The name of the law is the "California Beverage Container Recycling & Litter Reduction Act" Public Resources Code Division 12.1. Among other things the law classifies the area ½ mile around supermarkets that meet certain criteria as convenience zones. A Supermarket is defined as "a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items. For purposes of determining which dealers are supermarkets, the department shall use the annual updates of the Progressive Grocer Marketing Guidebook and any computer printouts developed in conjunction with the guidebook."

Anyone wishing to learn more about this law can access it at the Department of Conservations website:
<http://www.conservation.ca.gov/Index/Pages/Index.aspx>

Target, which was identified as the preferred location, has not been classified as a Supermarket and therefore does not need to comply with this law. The other two supermarkets are underserved and would be served by the proposed Tomra Recycling Center. Tomra does not have arrangements with these stores to site and operate a recycling center.

While we empathize with the residents' perceived notion of the recycling center, we contend that the perception is not reality, and, fail to see how moving the facility across the street would eliminate their perceived problems with the Recycling Center.

In our opinion, the recycling center will be of value to the community by providing a convenient way for the local residents to recycle beverage containers in return for their CRV in a safe and clean environment. Because it is in an area of the parking lot that is less frequently used, it will not interfere with on-going activities. Because many of the residents who avail themselves of these recycling centers bring their recyclables on the same trip to the supermarket, traffic is not increased from what's normal for the location. And we have demonstrated by way of a "Noise Study" that the facility will be in compliance with the City's noise regulations.

*Enrique Vazquez
 Sloan Vazquez, LLC
 1231 East Dyer Road, Ste 225
 Santa Ana, CA 92705
 Cell: 626.347.3226
 Office: 714.241.7903
 Fax: 714-276-0625*

-----Original Message-----

From: Arabe, Jill [mailto:JArabe@surfcity-hb.org]
Sent: Monday, June 02, 2008 1:20 PM
To: Enrique Vazquez
Subject: CUP 07-047 (Recycling Center) Question

Enrique –

I have received a letter from the Huntington Bay HOA and attached it to this email. His

6/3/2008

ATTACHMENT NO. 8.83

inquiry is in regards to the ½ mile radius of a grocery store and how it is mandated by the state to provide a recycling center. Would you be able to answer his inquiry?

Thanks!

Jill Ann Arabe
Planning Aide
City of Huntington Beach
(E) jarabe@surfcity-hb.org
(P) 714.374.5357

6/3/2008

ATTACHMENT NO. 8.84

HUNTINGTON BAY

10199 Holburn Drive
Huntington Beach, CA 92646
(714) 962-2951

City of Huntington Beach

JUN - 2 2008

May 30, 2008

Ms. Jill Arabe
Project Planner
City of Huntington Beach
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

RE: Conditional Use Permit No. 2007-047 (Ralph's Recycling Center)

Dear Ms. Arabe:

Thank you for hearing Huntington Bay's concerns about the proposed recycling center at Beachmont Plaza. After the meeting I had discussions with neighbors and fellow board members. This generated several questions and suggestions.

We were not aware of any state law that would require a portable recycling center near (within ½ mile) a grocery store. While we acknowledge that ignorance of the law is no excuse, we wondered why Stater Brothers' (and Albertson's previously), Smart and Final, and Target, all who sell drinks in cans and bottles, are not required to provide a portable recycling center. All are located at the intersection of Brookhurst Street and Adams Avenue.

Huntington Bay would prefer not to have the recycling center at all. However, if the state really mandates that there has to be one within ½ mile of Ralph's, we think the best location would be somewhere across the intersection near Target. That location would have less impact from transient traffic. There would be no need to access the facility through Huntington Bay, or for that matter Meredith Gardens, and the other neighborhoods surrounding Brookhurst and Adams.

Thanks for your consideration. If there are any questions, please let us know.

Sincerely,



Paul Haussler,
for the Board of Directors
Huntington Bay Homeowners' Association

cc: Huntington Bay

ATTACHMENT NO. 8.85



CITY OF HUNTINGTON BEACH

INTER-DEPARTMENT COMMUNICATION *Huntington Beach*

JUL 25 2008

TO: Planning Commission
VIA: Paul Emery, Interim City Administrator
FROM: Kenneth W. Small, Chief of Police
DATE: July 23, 2008

cc - PC
SH
HF
JA

SUBJECT: Ralph's Recycling Center Permit No. 07-047

The Police Department understands and supports the concept of neighborhood recycling centers. However, we also recognize that these centers have the potential to create adverse impacts on surrounding businesses and residential communities.

In response to your request at the study session on July 22, 2008, the police department opposes the placement of a recycling center in the Ralph's Shopping Center at Brookhurst and Adams. We believe the potential adverse impacts far surpass the benefits of having a recycling center at that location. The presence of a recycling center at that location will result in an increase in the number of transient and homeless people who visit and loiter in the shopping center. It will also result in an increase in the number of transient and homeless people walking through and loitering in the residential community east of the shopping center because there is a pedestrian gate that allows access from the shopping center into the residential area.

Homeless people collect recyclables and return them for money. If a recycling center is located in the shopping center, it will attract homeless people who collect recyclables. Once the homeless people are in the shopping center, they will loiter and panhandle within the parking lot and near the fronts of the stores. Confrontations between homeless people who are panhandling for money and shoppers are not uncommon.

The shopping center at Brookhurst and Adams is in very close proximity to the Santa Ana River Trail (approximately one block). There are currently a large number of homeless people living in or around the river trail. Residents in the area of the river trail frequently complain about problems related to the homeless population who come into the city from the river trail. They also complain about being confronted by homeless people when using the river trail. In the past several years, there have been significant incidents, including one murder, which involved homeless people in the area of the river trail. The recycling center will only exacerbate an already existing problem we have with the homeless people in that area. The river trail homeless problem is so significant to the residents that the police department is entering into an agreement with the County of Orange that will allow us to conduct enforcement operations in the county

area along the river trail. Adding a recycling center to the Ralph's Shopping Center will be counterproductive to the efforts of the police department.

Shoppers want to have a sense of safety and security when they visit retail establishments in shopping centers. If there are homeless people panhandling and loitering in the shopping center, it creates the illusion of an unsafe area. Just the mere presence of the homeless population (because of their unkempt appearance) makes some people nervous and uneasy. Their presence also has the potential of having an adverse impact on businesses if shoppers choose to shop elsewhere to avoid transients and panhandlers.

We were asked to provide the number of calls to the police department at locations where recycling centers currently operate. The number of calls at these locations is not a complete and accurate representation of the issues mentioned in this memo. Many of the calls and complaints we receive do not come through our communications center and are therefore not included in the calls listed below.

Ralph's Market (Warner and Airport) June 2007 through July 2008

This location shows that in the time frame listed above, there were 12 calls to the police department that can be directly attributed to the recycling center involving a homeless person.

Ralph's Market (Garfield and Golden West) February 2006 through July 2008

This location shows that in the time frame listed above, there were 10 calls to the police department that can be directly attributed to the recycling center involving a homeless person.

Albertson's Market (Newland Center) January 2006 through July 2008

This location shows that in the time frame listed above, there were 14 calls to the police department that can be directly attributed to the recycling center involving a homeless person.

If you have any further questions about this matter, please feel free to contact me at (714) 536-5902.

CHAPTER 6. RETURNS

14570. Every dealer shall post a clear and conspicuous sign of at least 10 inches by 15 inches at each public entrance to the dealer's place of business, which specifies one of the following:

(a) The name and address, as provided by the department, of at least the certified recycling center, location, or locations, nearest to the dealer, which redeems all types of empty beverage containers at one location during at least 30 hours per week with a minimum of five hours of operation occurring during periods other than from Monday to Friday, from 9:00 a.m. to 5:00 p.m., and the toll-free telephone number established by the department for the purpose of disseminating information regarding beverage container recycling opportunities.

(b) One of the following procedures for redeeming beverage containers is available, pursuant to Section 14571.6:

(1) Beverage containers may be redeemed at all open cash registers within this place of business.

(2) Beverage containers may be redeemed at one specific location on the dealer's premises which is identified on the sign.

→ **14571. (a)** Except as otherwise provided in this chapter, there shall be at least one certified recycling center or location within every convenience zone which accepts and pays the refund value, if any, at one location for all types of empty beverage containers and is open for business during at least 30 hours per week with a minimum of five hours of operation occurring during periods other than from Monday to Friday, from 9:00 a.m. to 5:00 p.m.

(b)(1) Notwithstanding subdivision (a), the department may require a certified recycling center to operate 15 of its 30 hours of operation other than during 9 a.m. to 5 p.m.

(2) Notwithstanding subdivision (a) and paragraph (1), the department may certify a recycling center that will operate less than 30 hours per week, if all of the following conditions are met:

(A) The recycling center is in a rural region. For purposes of this subparagraph, "rural region" means a nonurban area identified by the department on an annual basis using Farmers Home Loan Administration criteria. Those criteria include, but are not limited to, places, open country, cities, towns, or census designated places with populations that are less than 10,000 persons. The department may designate an area with a population of between 10,000 and 50,000 persons as a rural region, unless the area is identified as part of, or associated with, an urban area, as determined by the department on an individual basis.

(B) The recycling center agrees to post a sign indicating the location of the nearest recycling center which is open at least 30 hours per week and which will accept all material types.

(C) The needs of the community and the goals of this division will be best served by certification of the operation as a recycling center.

(c) Before establishing operating hours for a certified recycling center pursuant to subdivision (b), the department shall make a determination that this action is necessary to

Chapter 6. RETURNS

further the goals of this division and that the proposed operating hours will not significantly decrease the ability of consumers to conveniently return beverage containers for the refund value to a certified recycling center redeeming all material types.

(d) For purposes of this section, if the recycling center is staffed and is not a reverse vending machine, a center is "open for business" if all of the following requirements are met:

(1) An employee of the certified recycling center or location is present during the hours of operation and available to the public to accept containers and to pay the refund values.

(2) In addition to the sign specified in subdivision (h), a sign having a minimum size of two feet by two feet is posted at the certified recycling center or location indicating that the center or location is open. Where allowed by local zoning requirements or where zoning restrictions apply, the sign shall be of the maximum allowable size.

(3) The prices paid, by weight or per container, are posted at the location.

(e) Except as provided in subdivision (f), for the purpose of this section, if the recycling center consists of reverse vending machines or other unmanned automated equipment, the center is "open for business" if the equipment is properly functioning, accepting all types of empty beverage containers at the recycling location, and paying posted refund values no less than the minimums required by this division.

(f) If a recycling center consists of reverse vending machines or other automated equipment, the recycling center is

"open for business" if the equipment is properly functioning, and accepting all types of empty beverage containers at one physical recycling location within the recycling location.

(g) Whenever a recycling center which is a reverse vending machine is not "open for business" during the 30 hours of operation required and posted pursuant to this section and Section 14570, the dealer which is hosting the reverse vending machine at its place of business shall redeem all empty beverage container types at all open cash registers or one designated location in the store, as specified on the sign required pursuant to subdivision (h).

(h) In addition to the sign specified in paragraph (2) of subdivision (d), each reverse vending machine shall be posted with a clear and conspicuous sign on or near the reverse vending machine which states that beverage containers may be redeemed by the host dealer if the machine is nonoperational at any time during the required 30 hours of operation, pursuant to subdivision (g). The department shall determine the size and location of the sign and the message required to be printed on the sign.

14571.1. On or before February 1, 1990, and on or before January 1, annually thereafter, the department shall, on a statewide basis, designate all convenience zones as of that date, including convenience zones in underserved areas, and shall prepare a map or maps showing these convenience zones.

14571.2. The department shall continuously assist dealers and recyclers to establish certified recycling locations within each convenience zone. This assistance includes, but is not limited to, providing

14571.6. In any convenience zone where no recycling location has been established which satisfies the requirements of Section 14571, and in any convenience zone which has exceeded the 60-day period for the establishment of a recycling center pursuant to Section 14571.7, all dealers within that zone shall, until a recycling location has been established in that zone, do one of the following:

(a) Submit to the department an affidavit form provided by the department stating that all of the following standards are being met by the dealer:

(1) The dealer redeems all empty beverage container types at all open cash registers or one designated location on the dealer's premises, during all hours that the dealer is open for business.

(2) The dealer has posted signs which meet the size and location requirements specified in subdivision (b) of Section 14570, and which conform to paragraph (2) of that subdivision.

(3) The dealer is delivering, or having delivered, all empty beverage containers received from the public to a certified recycling center or processor for recycling.

(b) Pay to the department for deposit in the fund the sum of one hundred dollars (\$100) per day until a recycling location is established or until the standards for redemption specified in subdivision (a) are met.

14571.7. (a) Except as provided in subdivision (b), in any convenience zone where a recycling location or locations were initially established, but where the location or locations cease to operate in accordance with Section 14571, on or before August 1, 1990, and in any convenience zone

designated after January 1, 1990, the department shall notify all dealers within that convenience zone that a recycling location is required to be established within 60 days. If, within 30 days of the notification, no recycling location has been established which satisfies the requirements of Section 14571, the department shall notify all dealers within that zone, and one or more dealers within that zone shall establish, or cause to be established, a recycling location.

(b) In any convenience zone where a recycling location or locations were initially established, but where the location or locations cease to operate in accordance with Section 14571, on or after August 1, 1990, or the convenience zone is to be established after October 1, 1990, the department shall determine, pursuant to Section 14571.8, if the convenience zone is eligible for an exemption. If the convenience zone meets all of the requirements for an exemption pursuant to 14571.8, the department shall grant one exemption. If the department determines that a convenience zone is not eligible for an exemption pursuant to subdivision (a) and Section 14571.8, the department shall notify all dealers within that convenience zone that a recycling location is required to be established within 60 days. If, within 30 days of the notification, no recycling location has been established which satisfies the requirements of Section 14571, the department shall notify all dealers within that zone, and one or more dealers within that zone shall establish, or cause to be established, a recycling location.

→ **14571.8. (a)** No lease entered into by a dealer after January 1, 1987, may contain a leasehold restriction that prohibits or results in the prohibition of the establishment of a recycling location.

Chapter 6. RETURNS

(b) The director may grant an exemption to the requirements of Section 14571 for an individual convenience zone only after the department solicits public testimony on whether or not to provide an exemption from Section 14571. The solicitation process shall be designed by the department to ensure that operators of recycling centers, dealers, and members of the public in the jurisdiction affected by the proposed exemption are aware of the proposed exemption. After evaluation of the testimony and any field review conducted, the department shall base a decision to exempt a convenience zone on one, or any combination, of the following factors:

(1) The exemption will not significantly decrease the ability of consumers to conveniently return beverage containers for the refund value to a certified recycling center redeeming all material types.

(2) Except as provided in paragraph (5), the nearest certified recycling center is within a reasonable distance of the convenience zone being considered from exemption.

(3) The convenience zone is in the area of a curbside recycling program that meets the criteria specified in Section 14509.5.

(4) The requirements of Section 14571 cannot be met in a particular convenience zone due to local zoning or the dealer's leasehold restrictions for leases in effect on January 1, 1987, and the local zoning or leasehold restrictions are not within the authority of the department and the dealer. However, any lease executed after January 1, 1987, shall meet the requirements specified in subdivision (a).

(5) The convenience zone has redeemed less than 60,000 containers per month for the prior 12 months and, notwithstanding

paragraph (2), a certified recycling center is located within one mile of the convenience zone that is the subject of the exemption.

(c) The department shall review each convenience zone in which a certified recycling center was not located on January 1, 1996, to determine the eligibility of the convenience zone under the exemption criteria specified in subdivision (b).

(d) The total number of exemptions granted by the director under this section shall not exceed 35 percent of the total number of convenience zones identified pursuant to this section.

(e) The department may, on its own motion, or upon petition by any interested person, revoke a convenience zone exemption if either of the following occurs:

(1) The condition or conditions that caused the convenience zone to be exempt no longer exists, and the department determines that the criteria for an exemption specified in this section, are not presently applicable to the convenience zone.

(2) The department determines that the convenience zone exemption was granted due to an administrative error.

(f) If an exemption is revoked and a recycling center is not certified and operational in the convenience zone, the department shall, within 10 days of the date of the decision to revoke, serve all dealers in the convenience zone with the notice specified in subdivision (a) of Section 14571.7.

(g) An exemption shall not be revoked when a recycling center becomes certified and operational within an exempt

convenience zone unless either of the events specified in paragraphs (1) and (2) of subdivision (e) occurs.

14572. (a) Except as provided in subdivision (b), a certified recycling center shall accept from any consumer or dropoff or collection program any empty beverage container, and shall pay to the consumer or dropoff or collection program the refund value of the beverage container. The center may pay the refund value based on the weight of returned containers.

(b) Any recycling center or processor which was in existence on January 1, 1986, and which refused, as of January 1, 1986, to accept at a particular location a certain type of empty beverage container may continue to refuse to accept at the location the type or types of empty beverage containers that the recycling center or processor refused to accept as of January 1, 1986. Any certified recycling center which refuses, pursuant to this subdivision, to accept a certain type or types of empty beverage containers is not eligible to receive handling fees unless the center agrees to accept all types of empty beverage containers and is a supermarket site. This subdivision does not preclude the certified recycling center from receiving a handling fee for beverage containers redeemed at supermarket sites which do accept all types of containers.

(c) The department shall develop procedures by which recycling centers and processors which meet the criteria of subdivision (b) may recertify to change the material types accepted.

(d)(1) Only a certified recycling center may pay the refund value to consumers or dropoff or collection programs. No person shall pay a noncertified recycler for empty beverage containers an amount which

exceeds the current scrap value for each container type, which shall be determined in the following manner:

(A) For a plastic or glass beverage container, the current scrap value shall be determined by the department.

(B) For an aluminum beverage container, the current scrap value shall be not greater than the amount paid to the processor for that aluminum beverage container, on the date the container was purchased, by the location of end use, as defined in the regulations of the department.

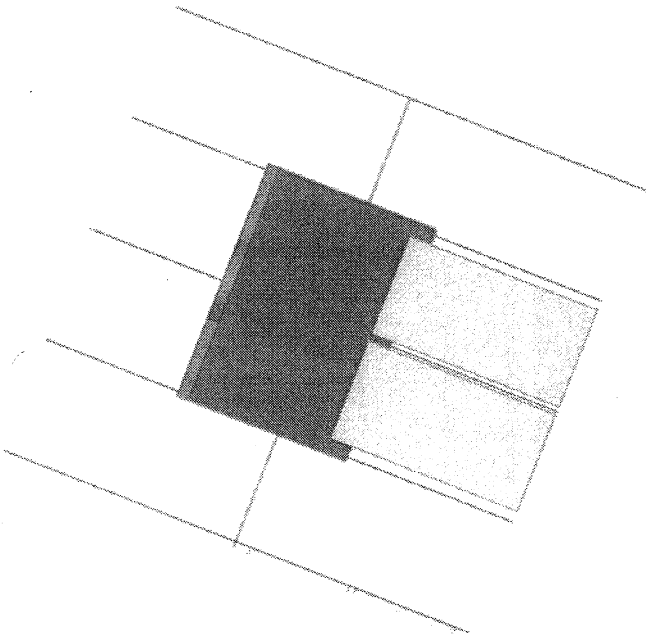
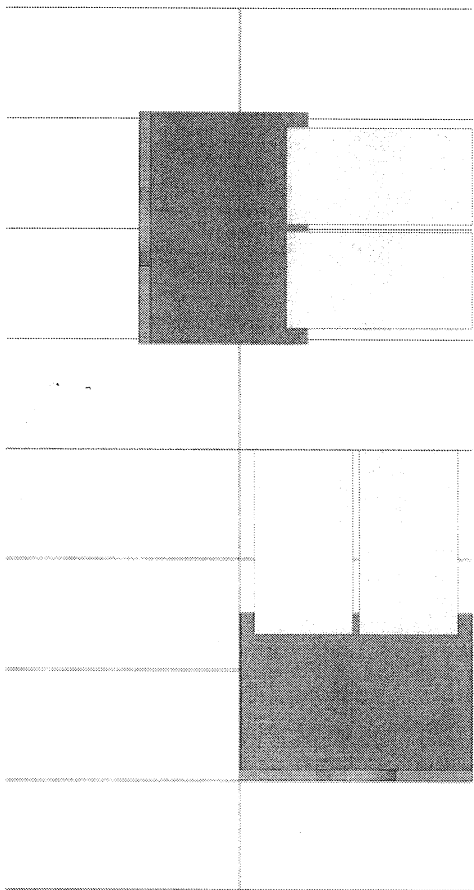
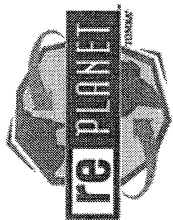
(2) No person may receive or retain, for empty beverage containers which come from out of state, any refund values, processing payments, or administrative fees for which a claim is made to the department against the fund.

(3) Paragraph (1) does not affect curbside programs under contract with cities or counties.

14572.5. A certified recycling center, other than a reverse vending machine, shall accept from any consumer or any dropoff or collection program and pay the applicable deposit for any refillable empty beer and other malt beverage container. The certified recycling center shall return, or cause to be returned, the refillable beer and other malt beverage container to the beer and other malt beverage distributor or any willing purchaser, who shall then pay the deposit to the center. The beer and other malt beverage distributor or other purchaser shall also negotiate a handling fee with the recycling center for the return of these containers.

14573. (a) The department shall pay to a processor, for every empty beverage

Parking Lot Configurations



Location	Parking Spaces Lost
In Front	4
Proposed in Rear	4



BEACHMONT PLAZA

Parking Matrix

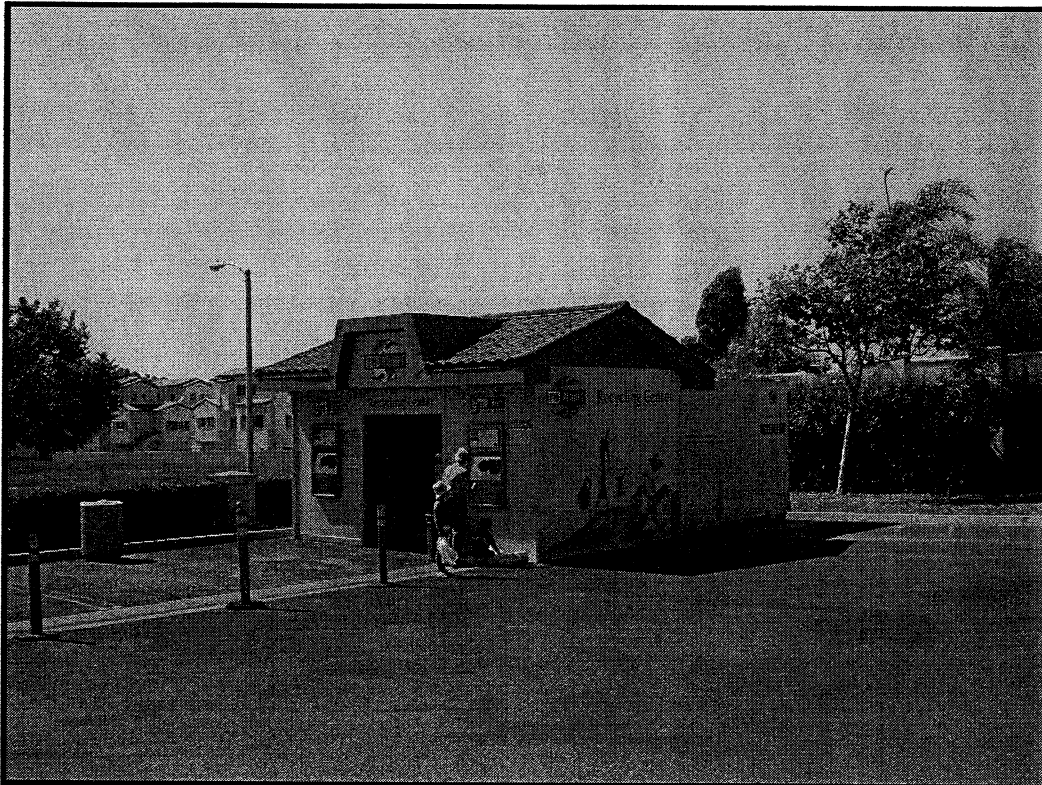
Address	Business Name	Square Footage / Uses				Parking Requirement					
		Retail & Food w/ less than 12 seats	Food	Office	Storage	Med. Off.	Retail @ 1/200	Food @ 1/100	Office @ 1/250	Storage @ 1/1000	Med. Off. @ 1/175
10035 Adams (13,086)	Suite 101 Vacant	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Suite 103 VACANT	5,090.00	0.00	0.00	0.00	0.00	25.45	0.00	0.00	0.00	0.00
	Suite 105 Vacant	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Suite 107 Vacant	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Suite 109 AT&T	3,200.00	0.00	0.00	0.00	0.00	16.00	0.00	0.00	0.00	0.00
	Suite 111 Jersey Mike's Subs	0.00	1,600.00	0.00	0.00	0.00	0.00	16.00	0.00	0.00	0.00
	Suite 113 Z Pizza	0.00	1,600.00	0.00	0.00	0.00	0.00	16.00	0.00	0.00	0.00
	Suite 115 Cleaners	1,600.00	0.00	0.00	0.00	0.00	8.00	0.00	0.00	0.00	0.00
	Suite 101 YoYumYum	1,716.00	0.00	0.00	0.00	0.00	8.58	0.00	0.00	0.00	0.00
	Suite 103/105 Toys	3,640.00	0.00	0.00	0.00	0.00	18.20	0.00	0.00	0.00	0.00
10111 Adams (9,142.50)	Suite 101/103 Comerica	3,224.00	0.00	0.00	0.00	0.00	16.12	0.00	0.00	0.00	0.00
	Suite 105 Vacant	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Suite 107 VACANT	1,476.00	0.00	0.00	0.00	0.00	7.38	0.00	0.00	0.00	0.00
	Suite 109 Nutrishop	1,400.00	0.00	0.00	0.00	0.00	7.00	0.00	0.00	0.00	0.00
	Suite 111 Dental Office (TI)	0.00	0.00	0.00	0.00	1,400.00	0.00	0.00	0.00	0.00	8.00
10081 Adams (54,938)	Suite 113 Happy Nails Spa	1,700.00	0.00	0.00	0.00	0.00	8.50	0.00	0.00	0.00	0.00
	Ralphs	46,457.00	0.00	0.00	8,481.00	0.00	232.29	0.00	0.00	8.48	0.00
	10011 Adams (25,479)	16,874.00	0.00	0.00	8,605.00	0.00	84.37	0.00	0.00	8.61	0.00
Total Square Footage (108,261)		86,377.00	3,200.00	0.00	17,086.00	1,400.00	431.89	32.00	0.00	17.09	8.00
Total Required Parking Spaces		108,063.00 total sq. ft. 488.97 parking spaces									

240.77 total ps
92.98 total ps

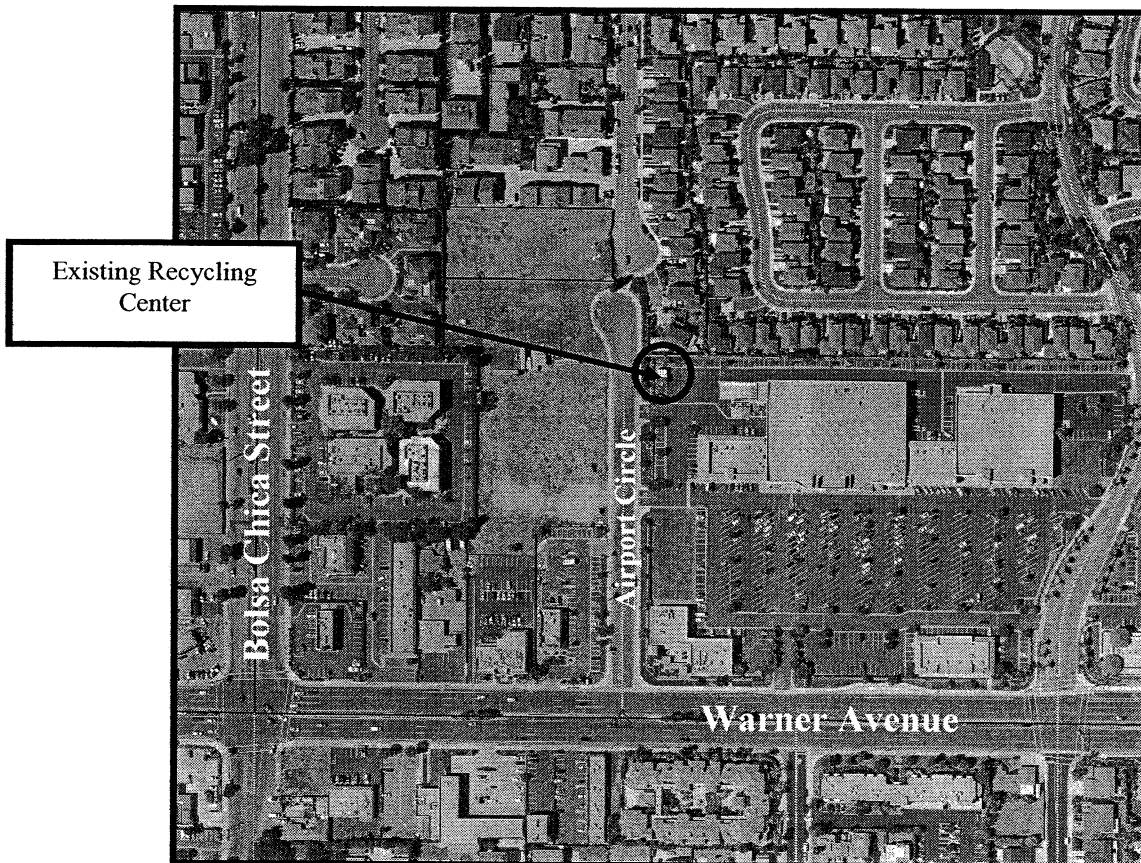
108,063.00 total sq. ft.
488.97 parking spaces

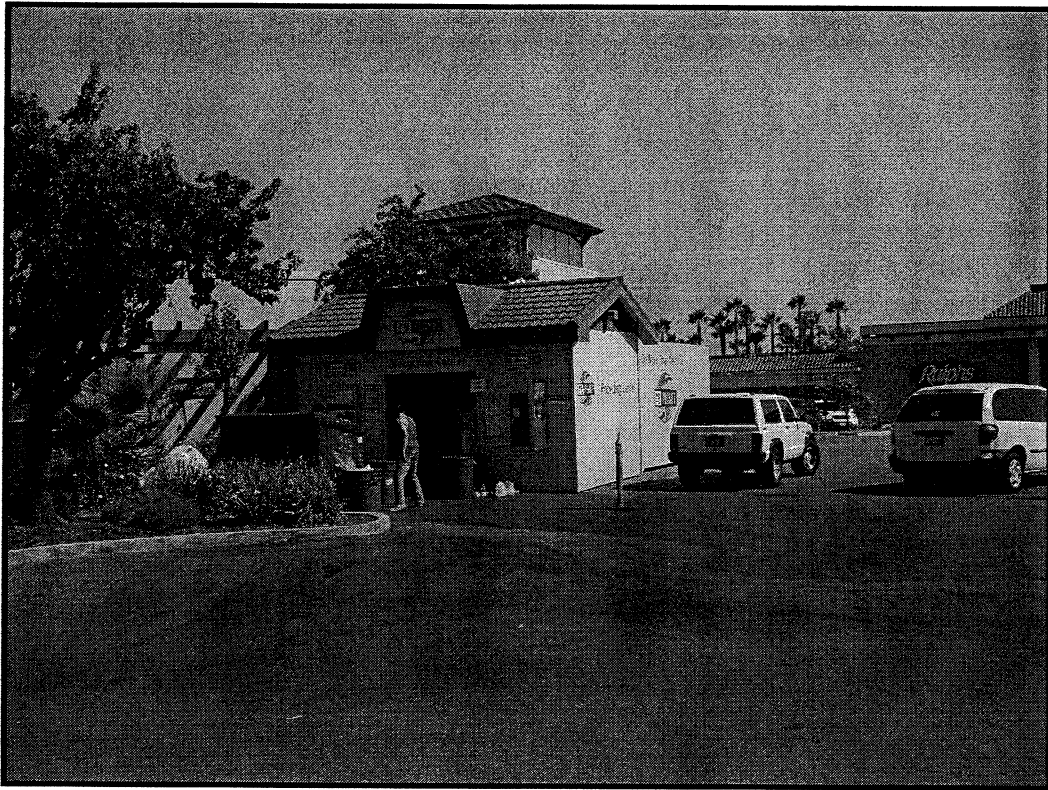
Allowable Uses	SQ.FT. Listed	Difference
Restaurant	8,000.00	4,800.00
Medical Office	6,415.00	5,015.00
Retail	76,678.00	-9,699.00
Storage	17,086.00	0.00
	108,179.00	

Parking Provided	511	3/28/2008
Number of parking Spaces lost	4	Recycling Center
Total Number of parking Spaces provided	507	
Required Parking	489	
Excess Parking	18	



Hours of Operation: 7AM – 5PM
Airport and Warner





Hours of Operation: 8:30 AM – 5PM
Goldenwest and Warner

